

THURSDAY, APRIL 16, 1981

THIRTY-FIFTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Joe Scott, St. John Baptist Church, Tiptonville, Tennessee.

Representative Dills led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Perrcy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

387—To amend Section 8-6-109 and Title 3, Chapter 12, Code;

391—To protect members of professional societies from liability; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

610—To amend Title 37, Chapter 2, Code; substituted for Senate Bill on same subject,

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amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

42—Relative to policy, textbook review;

44—Relative to guidelines, textbook publishers;

55—Relative to naming the “Max Friedman Memorial Interchange”;

72—Relative to establishing “Tourist Appreciation Day”;

78—Relative to directing Department of Conservation, reforest certain land;

93—Relative to erecting highway sign, Harrison Chilhowee Baptist Academy;

144—Relative to congratulating Oak Ridge High School cross country team;

145—Relative to congratulating Carver High School boys basketball team;

146—Relative to congratulating Unicoi County Elementary School girls basketball team;

147—Relative to congratulating Unicoi County Elementary School girls basketball team;

148—Relative to proclaiming “Police Memorial Week”;

149—Relative to honoring commissioner James A. McBee;

150—Relative to honoring William C. Talent;

151—Relative to honoring Bill Deatheradge;

155—Relative to congratulating Mike Hammond;

156—Relative to declaring “Special Olympics Day”;

159—Relative to honoring Dr. J. Millen Darnell;

162—Relative to honoring Reverend Robert K. Davis;

164—Relative to memory, Mrs. Jo Anne Clark;

165—Relative to memory, Harry Alexis Jones Joyce;

166—Relative to memory, John Templeton;

167—Relative to commending Frederick J. Thompson, II;

176—Relative to congratulating Representative Dale Kelley; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

297—To amend Section 40-120, Code;

487—To amend Title 2, Chapter 6, Code

566—To amend Sections 39-4001 and 39-4002, Code;

587—To amend Title 5, Chapters 5 and 6, Code;

772—To amend Section 20-2-202, Code;

1261—To regulate board of highway commissioners, certain counties;

1262—To impose certain privilege tax, Morgan County;

1275—To authorize severance tax, Carter County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MOTION TO AMEND HOUSE RULES

Amend House Rule No. 57 by adding the following sentences at the end of the paragraph:

"No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the sponsor of the measure has announced that the measure has been returned from the Senate requiring further action by the House, stating what action the Senate has taken, and briefly explaining what effect the Senate action will have on the measure. This announcement shall be made on the legislative day prior to consideration of the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The chief clerk will see that an impact summary of the Senate action on the measure as prepared by legislative services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure."

S. Thomas Burnett

James M. Henry

James R. McKinney

Eugene E. Davidson

Jimmy Naifeh

Elbert T. Gill, Jr.

Harper Brewer

David Y. Copeland

M. F. "Benny" Stafford

R. Brad Martin

Mr. Burnett moved that the rules be suspended for the immediate consideration of the proposed amendment to the House Rules, which motion prevailed.

Mr. Burnett moved that the proposed amendment to House Rule No. 57 be adopted, which motion prevailed by the following vote:

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Ayes	87
Noes	6
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

Representatives voting no were: Buck, Duncan, Harrill, Jared, McNally and Rhinehart—6.

Representative present and not voting was: Small—1.

A motion to reconsider was tabled.

CALENDAR

Mr. Lashlee moved that House Bill No. 468 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1026—To enact the “Conservation Easement Act”.

On motion, House Bill No. 1026 was made to conform with Senate Bill No. 1142.

On motion, Senate Bill No. 1142, on same subject, was substituted for House Bill No. 1026.

Mr. Murphy (Davidson) moved that Senate Bill No. 1142 be placed on the Calendar for Thursday, April 30, 1981, which motion prevailed.

House Bill No. 759—To amend Section 2908, Title 67, Code.

Mr. Bragg moved that House Bill No. 759 be passed on third and final consideration.

Mr. Richardson moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 759 by inserting in the amendatory language of Section 1 after the words “or air pollution,” and before the words “and which has been” the following words

or used primarily for the disposal, treatment or recycling of hazardous waste

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 759 be deleting from the amendatory language of Section 1 the words and punctuation “which has been, or”.

On motion, the amendment was adopted.

Thereupon, House Bill No. 759, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

Representative voting no was: Spence—1.

A motion to reconsider was tabled.

House Bill No. 581—To amend Sections 4-3-1003 and 4-3-1104, Code.

On motion, House Bill No. 581 was made to conform with Senate Bill No. 205.

On motion, Senate Bill No. 205, on same subject, was substituted for House Bill No. 581.

Mr. Scruggs moved that Senate Bill No. 205 be passed on third and final consideration.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 205 by deleting the word “section” following the words “records management” in section 5 and inserting in its place the word “division.”

On motion, the amendment was adopted.

Mr. Bragg moved that Senate Bill No. 205 be placed on the Calendar for Thursday, April 23, 1981, which motion prevailed.

House Joint Resolution No. 130—Relative to studying salaries, state officials.

Mr. Henry (Roane) moved that House Joint Resolution No. 130 be adopted, which motion prevailed by the following vote:

Ayes	96
Nos	0

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

House Bill No. 478—To amend Section 6-20-218, 6-54-508 and 6-54-509, Code.

On motion, House Bill No. 478 was made to conform with Senate Bill No. 745.

On motion, Senate Bill No. 745, on same subject, was substituted for House Bill No. 478.

Mr. Buck moved that Senate Bill No. 745 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	4
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representatives voting no were: Covington, DeBerry, Rhinehart and Spence—4.

Representative present and not voting was: Murphy (Shelby)—1.

A motion to reconsider was tabled.

Mr. Murphy (Shelby) moved that House Bill No. 951 be placed on the Calendar for Thursday, April 23, 1981, which motion prevailed.

Mr. Bragg moved that Senate Bill No. 95 be placed on the Calendar for Thursday, April 23, 1981, which motion prevailed.

House Bill No. 1048—To amend Title 52, Chapter 2, Code.

Mr. DePriest moved that House Bill No. 1048 be passed on third and final consideration.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1048 by deleting the directory language of Section 8 and substituting therefor the following:

Tennessee Code Annotated, Section 52-208 is amended by deleting the section in its entirety and substituting therefor the following:

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1048 by adding a new sentence at end of Section 8

"The producer shall replace all unclassified eggs at no cost to the consumer that are rotten."

Mr. DePriest moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	62
Noes	30
Present and not voting	2

Representative voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Davidson), Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Lashlee, McAfee, McNally, Martin, Montgomery, Murphy (Shelby), Murray, Percy, Phillips, Pickering, Richardson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—62.

Representatives voting no were: Bragg, Brewer, Byrd, Clark (Sumner), Cobb, Davidson, Davis (Pickett), Disspayne, Gaia, Gill, Henry (Roane), Hudson, Kernell, King (Shelby), King (Washington), Love, Lowe, McKinney, Moore, Murphy (Davidson), Naifeh, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sterling, Turner and Ussery—30.

Representatives present and not voting were: Miller and Owen—2.

Mr. McNally moved the previous question, which motion prevailed by the following vote:

Ayes	81
Noes	11
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Small, Smith, Spence,

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Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—81.

Representatives voting no were: Bell (Knox), Brewer, DeBerry, Ellis, Love, McKinney, Murphy (Davidson), Robertson, Scruggs, Shirley and Turner—11.

Representatives present and not voting were: Bragg, Robinson (Davidson) and Mr. Speaker McWherter—3.

Thereupon, House Bill No. 1048, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	3
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dissapyne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representatives voting no were: McKinney, Shirley and Turner—3.

Representative present and not voting was: Brewer—1.

A motion to reconsider was tabled.

House Bill No. 1269—To impose privilege tax in Fayette County.

Mr. Stallings moved that House Bill No. 1269 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

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Mr. Hillis moved that the rules be suspended for the purpose of introducing House Resolution No. 38 out of order, which motion prevailed.

House Resolution No. 38—Relative to honoring rescue squads—By Hillis, Akard, Baker, Bell (Knox), Bell (LWilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterlings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Hillis moved that the rules be suspended for the immediate consideration of House Resolution No. 38, which motion prevailed.

On motion of Mr. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 195 out of order, which motion prevailed.

House Joint Resolution No. 195—Relative to revising curriculum, lower grades—By Lashlee, Jared and Work.

Mr. Lashlee moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 195, which motion prevailed.

Mr. Lashlee moved that House Joint Resolution No. 195 be adopted, which motion prevailed by the following vote:

Ayes	83
Noes	0
Present and not voting	13

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—83.

Representatives present and not voting were: Bell (Knox), Bewley, Brewer, Carter, DeBerry, Duncan, King (Shelby), Martin, Miller, Phillips, Shockley, Stafford and Webb—13.

A motion to reconsider was tabled.

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Bill No. 1297 out of order, which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 1297—To create special school district, Carroll County—By Kelley and

Lashlee.

Passed first consideration.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 39 out of order, which motion prevailed.

House Resolution No. 39—Relative to honoring Joe Rufus Christopher—By DeBerry, King (Shelby), Murphy (Shelby), Gill, Gaia, Spence, Withers, Brewer, Kernell, Turner, Byrd and Shirley.

Ms. DeBerry moved that the rules be suspended for the immediate consideration of House Resolution No. 39, which motion prevailed.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frenslley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 31—Relative to honoring Union City High football team—By Tanner.

Under the rules, House Resolution No. 31 was referred to the Committee on Calendar and Rules.

House Resolution No. 32—Relative to honoring Union City High boys' basketball team—By Tanner.

Under the rules, House Resolution No. 32 was referred to the Committee on Calendar and Rules.

House Resolution No. 33—Relative to honoring Kenton High boys' basketball team—By Tanner.

Under the rules, House Resolution No. 33 was referred to the Committee on Calendar and Rules.

House Resolution No. 34—Relative to honoring Kenton High girls' basketball team—By Tanner.

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Under the rules, House Resolution No. 34 was referred to the Committee on Calendar and Rules.

House Resolution No. 35—Relative to honoring Kenton Junior High boys' basketball team—By Tanner.

Under the rules, House Resolution No. 35 was referred to the Committee on Calendar and Rules.

House Resolution No. 36—Relative to honoring Obion County Central High girls' basketball team—By Tanner.

Under the rules, House Resolution No. 36 was referred to the Committee on Calendar and Rules.

House Resolution No. 37—Relative to honoring Kenton Junior High girls' basketball team—By Tanner.

Under the rules, House Resolution No. 37 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 193—Relative to placing marker, Smith County—By Buck and Disspayne.

Under the rules, House Joint Resolution No. 193 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1289—To make certain provisions, Knox County government—By Struggs.

Passed first consideration.

House Bill No. 1290—To amend Charter, Lewisburg—By Lowe.

Passed first consideration.

House Bill No. 1291—To make certain provisions, Crockett County courts—By Wallace.

Passed first consideration.

House Bill No. 1292—To amend Section 67-1304, Code—By Davis (Pickett) and Buck.

Passed first consideration.

House Bill No. 1293—To regulate municipal elections, certain counties—By Phillips.

Passed first consideration.

House Bill No. 1294—To amend Title 3, Chapter 1, Code—By Davis (Hamilton).

Passed first consideration.

House Bill No. 1295—To provide termination date Interstate Compact on Mental Health—By Davis (Hamilton).

Passed first consideration.

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House Bill No. 1296—To amend Section 55-8-110, Code—By Davis (Hamilton).

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1281—To amend Charter, Gallatin.

Passed second consideration and held without reference.

House Bill No. 1282—To provide litigation tax certain courts, Sumner County.

Passed second consideration and held without reference.

House Bill No. 1283—To amend Charter, Portland.

Passed second consideration and held without reference.

House Bill No. 1284—To amend Charter, Pulaski.

Passed second consideration and held without reference.

House Bill No. 1285—To amend Title 2, Chapter 9, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1286—To provide mileage allowance, Assessor, Scott County.

Passed second consideration and held without reference.

House Bill No. 1287—To set salary, county service officer, Scott County.

Passed second consideration and held without reference.

House Bill No. 1288—To create Nashville and Eastern Railroad Authority.

Passed second consideration and held without reference.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1253, 1276, 1277, 1281, 1282, 1283, 1284, 1286, 1287 and 1288.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, April 20, 1981: House Bills Nos. 475, 1143, 551, House Resolution No. 14, House Bills Nos. 118, 279, 531, 534, 536, 716, 732, 993, 1037 and 1062.

GILL, *Chairman.*

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

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659—To amend Title 67, Chapter 5, Code;

985—To amend Title 5, Chapter 10 and 11, Code;

1229—To increase litigation tax, Loudon County;

1263—To amend Chapter 116, Private Acts, 1973;

1266—To amend Charter, Alcoa;

1268—To make certain provisions, Gadsden Special School District;

1271—To set compensation, mayor of Trenton; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF DELAYED BILLS COMMITTEE

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1292 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommended for passage: House Joint Resolution No. 187.

LASHLEE, *Chairman.*

Under the rules, House Joint Resolution No. 187 was transmitted to the Committee on Calendar and Rules.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 764—Starnes

House Bill No. 892—Smith (co-prime)

House Bill No. 1144—Gill (co-prime)

House Bill No. 1269—Naifeh

House Joint Resolution No. 192—Miller

House Resolution No. 38—Bragg

MOTIONS

On motion of Mr. Wix, House Bill No. 343 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Wix, House Bill No. 343 was withdrawn from the House.

On motion of Mr. Wix, House Bill No. 346 was recalled from the Committee on State and Local Government.

On motion of Mr. Wix, House Bill No. 346 was withdrawn from the House.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 759, 1048 and 1269; and House Joint Resolutions Nos. 130 and 195; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

555—To set terms, Mayor and Aldermen, Linden;

632—To require school principals report probable drug law violation;

883—To amend Section 49-50-106, Code;

1249—To impose certain privilege tax, McNairy County;

1264—To create board of education, Hardeman County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 141, 352, 1243, 1245, 1246, 1252, 1255, 1258 and 1259 and House Joint Resolutions Nos. 35, 126, 131, 133, 134, 136, 138, 139, 140, 141, 142, 143, 153 and 160 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 297, 357, 487, 566, 587, 600, 647, 659, 772, 985, 1229, 1261, 1262, 1263, 1268,

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1271 and 1275; House Resolution No. 27; and House Joint Resolutions Nos. 42, 44, 55, 72, 78, 93, 144, 145, 146, 147, 148, 149, 150, 151, 155, 156, 159, 162, 164, 165, 166, 167 and 176; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 297, 357, 487, 566, 587, 600, 647, 659, 772, 985, 1229, 1261, 1262, 1263, 1268, 1271 and 1275; House Resolution No. 27; and House Joint Resolutions Nos. 42, 44, 55, 72, 78, 93, 144, 145, 146, 147, 148, 149, 150, 151, 155, 156, 159, 162, 164, 165, 166, 167 and 176.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1261 and 1275 signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1261 and 1275, for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1261 and 1275, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

55—Relative to equal opportunity employment, Nissan;

90—Relative to congratulating Beech High School girls basketball team;

110—Relative to memory, former Representative Harry Lee Senter; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE GOVERNOR

Mr. David Welles
State Capitol

Dear Mr. Welles,

As requested by the House of Representatives I am hereby returning House Bill 509.

Sincerely,

Lamar Alexander

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

107—To provide insurance coverage, certain employees;

640—To amend Chapter 288, Private Acts 1972;

657—To amend Board of Building Code Appeals;

769—To amend Section 57-4-102, Code;

798—To amend Section 7-3-202, Code;

886—To amend Sections 53-1203, 53-1211 and 53-1213, Code;

897—To amend Title 64, Chapter 24, Code;

956—To regulate testing applicants, State employment;

1023—To regulate local funding, public school transportation;

1133—To amend Title 54, Chapter 20, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

601—To amend Section 39-4544, Code;

602—To amend Section 41-1231, Code;

1131—To reorganize Department of Transportation; all substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 36, 206, 989 and 1202; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 36, 206, 989 and 1202.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, April 20, 1981: House Joint Resolution No. 158, House Bills Nos. 851, 852, 1231, 473, House Joint Resolution No. 154, House Bill No. 968, House Resolutions Nos. 31, 32, 33, 34, 35, 36, 37, House Joint Resolutions Nos. 185, 186, 188, 189, 190, House Bills Nos. 969, 1253, 1276, 1277, 1281, 1282, 1283, 1284, 1286, 1287 and 1288.

GILL, *Chairman.*

On motion of Mr. Burnett, the House adjourned until 5:00 p.m., Monday, April 20, 1981.